

**List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

**PART 39—AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

**§ 39.13 [Amended]**

2. Section 39.13 is amended by adding the following new airworthiness directive:

**95-09-08 McCauley:** Amendment 39-9211. Docket 94-ANE-14.

**Applicability:** McCauley Model 2A37C223/90RB two bladed propellers with the following Propeller Serial Numbers:

901074-901092, 901094-901099, 901315-901320, 901322-901336, 901338-901340, 902816, 902818-902821;

910044, 910046-910051, 910161-910164, 910166, 910169-910170, 910172, 910174, 910176-910181, 911694, 911696, 912019, 912057, 912060, 912062, 912912;

920256-920260, 920262, 920264, 920266.

The above McCauley Model 2A37C223/90RB serial-numbered propellers are installed on but not limited to Beech Debonair 35-33, -A33, -B33, -C33, -C33A; E33, E33A, E33C, F33, F33A, F33C, and G33; and Beech Bonanza 35, 35R, A35, B35, C35, D35, E35, F35, G35, H35, J35, K35, M35, N35, P35, S35, V35, V35A, V35B, 36, and A36 aircraft.

**Note:** The above is not an exhaustive list of aircraft which may contain the affected serial-numbered McCauley Model 2A37C223/90RB propellers. It is not possible to identify all aircraft using the affected propeller model because of installation approvals made by Supplemental Type Certificate or FAA Form 337 "Major Repair and Alteration," etc. It is the responsibility of the owner, operator, and person returning the aircraft to service to determine if an aircraft has an affected propeller.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent cylinder screw failure that could result in loss of propeller control and subsequent loss of aircraft control, accomplish the following:

(a) Within the next 50 hours time in service (TIS), at the next annual inspection, or within 12 calendar months after the effective date of this AD, whichever occurs first, install internal steel components, replace balance ring part number C-6440-[X] with part number C-6560, replace cylinder

mounting screws with new screws, part number A-1635-70, and modify the propeller to an oil-filled configuration with red dye, all in accordance with McCauley SL No. 1993-13, dated September 15, 1993. Any propeller marked as 2A37C223/90RB-C that has an oil-fill plug in the side of the hub has complied with paragraph (a) of this AD.

**Note:** The modification of the propeller hub assembly to contain oil with a red dye provides an "on-condition" (in-service) means of early crack detection of the propeller assembly and also improves lubrication and corrosion protection. The oil will add approximately 2.8 lbs. to the weight of the propeller assembly.

(b) If leakage of oil containing red dye is detected in service (whether during flight or while on the ground), determine, prior to further flight, the source of leakage in accordance with McCauley SL No. 1993-13, dated September 15, 1993. Remove from service, prior to further flight, propeller assemblies that exhibit cracks and replace with a serviceable unit, modified in accordance with paragraph (a) of this AD, or with an equivalent initial production propeller that has incorporated a hub with oil containing red dye. Oil-filled propellers are identified by a letter C in the model designation and an oil-fill plug on the side of the hub.

(c) The "calendar month" compliance times stated in this AD allow the performance of the required action up to the last day of the month in which compliance is required.

(d) Report in writing any screw failures or cracks found during the accomplishment of paragraphs (a) or (b) of this AD to the Manager, Chicago Aircraft Certification Office, FAA, Small Airplane Directorate, 2300 East Devon Ave., Room 232, Des Plaines, IL 60018; telephone (708) 294-7134, fax (708) 294-7834, within 10 days of the inspection. Information collection requirements contained in the regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and has been assigned OMB Control Number 2120-0056.

(e) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Chicago Aircraft Certification Office. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Chicago Aircraft Certification Office.

**Note:** Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Chicago Aircraft Certification Office.

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the aircraft to a location where the requirements of this AD can be accomplished.

(g) The replacement and modifications shall be done in accordance with the following McCauley service document:

Document No.	Pages	Date
SL No. 1993-13 .....	1-25	Sept. 15, 1993.
Total pages: 25.		

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from McCauley Accessory Division, The Cessna Aircraft Company, 3535 McCauley Drive, P.O. Drawer 5053, Vandalia, OH 45377-5053; telephone (513) 890-5246, fax (513) 890-6001. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on May 19, 1995.

Issued in Burlington, Massachusetts, on April 24, 1995.

**James C. Jones,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 95-10590 Filed 5-3-95; 8:45 am]

BILLING CODE 4910-13-U

**RAILROAD RETIREMENT BOARD****20 CFR Part 344****RIN 3220-AB13****Contributions Under Special Transition Rule for Public Commuter Railroads**

**AGENCY:** Railroad Retirement Board.

**ACTION:** Final rule; removal.

**SUMMARY:** The Railroad Retirement Board (Board) hereby amends its regulations to remove a temporary rule regarding the computation and payment of contributions under the Railroad Unemployment Insurance Act for commuter railroads. The rule is now obsolete.

**EFFECTIVE DATE:** May 4, 1995.

**ADDRESSES:** Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

**FOR FURTHER INFORMATION CONTACT:** Thomas W. Sadler, Assistant General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751-4513, TDD (312) 751-4701.

**SUPPLEMENTARY INFORMATION:** Section 7102(a) of the Railroad Unemployment Insurance and Retirement Improvement Act of 1988 (Title VII, Subtitle A of Pub. L. 100-647) enacted a special transition rule regarding computation and payment of contributions by public commuter railroads for calendar years 1989 and 1990. Under the special transition rule, each public commuter

railroad paid contributions under section 8(a) of the Railroad Unemployment Insurance Act in an amount equal to the amount of unemployment and sickness benefits paid to its employees, plus an additional amount for administrative expenses. The Board promulgated Part 344 as a temporary rule (see 54 FR 25846, June 20, 1989) to explain how it would apply the special transition rule. Effective with calendar year 1991, public commuter railroads have been paying experience-rated contributions on the same basis as other railroad employers. Thus, Part 344 is obsolete.

The Board has determined that this is not a major rule for purposes of Executive Order 12866. Therefore, no regulatory impact analysis is required.

#### List of Subchapter in 20 CFR Part 344

Railroad employees, Railroad employers, Railroad unemployment benefits.

For the reasons set out in the preamble, part 344 of title 20, chapter II of the Code of Federal Regulations is amended as follows:

#### PART 344—[REMOVED AND RESERVED]

1. The authority citation for this part continues to read as follows:

**Authority:** 45 U.S.C. 362(i) and 362(l).

2. Part 344, consisting of §§ 344.1 through 344.6, is hereby removed and reserved.

Dated: April 26, 1995.

By Authority of the Board.

For the Board.

**Beatrice Ezerski,**

*Secretary to the Board.*

[FR Doc. 95-11007 Filed 5-3-95; 8:45 am]

BILLING CODE 7905-01-M

#### 20 CFR Part 217

RIN 3220-AB08

#### Application for Annuity or Lump Sum

**AGENCY:** Railroad Retirement Board.

**ACTION:** Final rule.

**SUMMARY:** The Railroad Retirement Board (Board) amends its regulations to enable the Board to pay the following benefits without requiring additional applications therefor: (1) An accrued annuity due at the death of a spouse or former spouse to a railroad employee receiving an annuity based on the same earnings record; and (2) a full-time student's annuity if the student was entitled to a child's annuity in the

month before the month the child attained age 18.

**EFFECTIVE DATE:** May 4, 1995.

**ADDRESSES:** Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611.

**FOR FURTHER INFORMATION CONTACT:** Michael C. Litt, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751-4929, TDD (312) 751-4701.

**SUPPLEMENTARY INFORMATION:** Section 217.8 of the Board's regulations specifies a list of benefits paid by the Board which may be paid based on a previously-filed application (*i.e.*, where a new application is not required). The rule adds to that list the cases where an accrued annuity is due at the death of a spouse or former spouse to a railroad employee receiving an annuity based on the same earnings record as the spouse or former spouse and where a full-time student's annuity is payable if the student was entitled to a child's annuity in the month before the month the child attained age 18. In those cases there is no additional information contained in the applications and there is no utility to the Board in requiring additional applications. Using the earlier application reduces paperwork and the burden on persons claiming benefits.

On February 9, 1995, the Board publishes this rule as a proposed rule (60 FR 7728), inviting comments on or before March 13, 1995. No comments were received.

The Board, in conjunction with the Office of Management and Budget, has determined that this is not a significant regulatory action for purposes of Executive Order 12866. Therefore, no regulatory impact analysis is required. There are no information collections associated with this rule.

#### List of Subjects in 20 CFR Part 217

Railroad employees, Railroad retirement.

For the reasons set out in the preamble, title 20, chapter II, part 217 of the Code of Federal Regulations is amended as follows:

#### PART 217—APPLICATION FOR ANNUITY OR LUMP SUM

1. The authority citation for part 217 continues to read as follows:

**Authority:** 45 U.S.C. 231d and 45 U.S.C. 231f.

2. Section 217.8 is amended by adding paragraphs (t) and (u) to read as follows:

**§ 217.8 When one application satisfies the filing requirement for other benefits.**

\* \* \* \* \*

(t) An accrued annuity due at the death of a spouse or divorced spouse if the claimant is entitled to an employee annuity on the same claim number.

(u) A full-time student's annuity if the student was entitled to a child's annuity in the month before the month the child attained age 18.

Dated: April 26, 1995.

By Authority of the Board.

For the Board,

**Beatrice Ezerski,**

*Secretary to the Board.*

[FR Doc. 95-11008 Filed 5-3-95; 8:45 am]

BILLING CODE 7905-01-M

#### DEPARTMENT OF TRANSPORTATION

##### Coast Guard

#### 33 CFR Part 100

[CGD 05-95-015]

RIN 2115-AE46

#### Special Local Regulations for Marine Events; the Great Chesapeake Bay Swim Event, Chesapeake Bay, MD

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of implementation.

**SUMMARY:** This document implements 33 CFR 100.507 for the Great Chesapeake Bay Swim Event to be held on June 11, 1995. These special local regulations are needed to provide for the safety of participants and spectators on the navigable waters during this event. The effect will be to restrict general navigation in the regulated area for the safety of participants in the swim, and their attending personnel.

**EFFECTIVE DATE:** The regulations in 33 CFR 100.507 are effective from 6:30 a.m. until 1 p.m., on June 11, 1995.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Phillips, Chief, Boating Affairs Branch, Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004 (804) 398-6204, or Commander, Coast Guard Group Baltimore (410) 576-8516.

**SUPPLEMENTARY INFORMATION:** The drafters of this notice are QM2 Gregory C. Garrison, project officer, Boating Affairs Branch, Boating Safety Division, Fifth Coast Guard District, and LCDR C.A. Abel, project attorney, Fifth Coast Guard District Legal Staff.

**Discussion:** Mr. Charles Nabit, a representative of the March of Dimes, submitted an application to hold the Great Chesapeake Bay Swim Event on June 11, 1995. Approximately 600 swimmers will start from Sandy Point State Park and swim between the